

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES STEVENS,

Petitioner,

v.

RON DAVIS, Warden, San Quentin
State Prison

Respondent.

No. C 09-0137 WHA

DEATH PENALTY CASE

**ORDER REGARDING REQUEST
FOR REPLY**

A question has arisen whether Attorney Bryan may file a reply to the brief of Attorney Rifkin on the issue of whether petitioner may dismiss certain claims from his petition for writ of habeas corpus. So far, a reply has not been authorized and a request for one will not be considered until after Attorney Rifkin's brief is filed this Wednesday, January 28.

The proper way to request the filing of a reply that is not automatically provided for is to do so by written motion. Any such motion is due by Friday, January 30 at noon. The motion will be limited to three pages, double-spaced. Footnotes and attachments will not be considered. If a reply is granted, it will be limited to the legal issue addressed in Attorney Rifkin's brief.

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Furthermore, all parties are reminded that they were in agreement at the December 3 hearing at San Quentin that petitioner was and is competent to waive the claims at issue. The Court has already made a formal finding on this issue at Docket No. 83, p. 2.

The Court intends to issue a ruling on this matter promptly.

IT IS SO ORDERED.

Dated: January 27, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE